

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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IN RE: PHARMACEUTICAL	)	MDL No. 1456
INDUSTRY AVERAGE WHOLESAL	)	Master Docket 01-cv-12257
PRICE LITIGATION	)	
	)	
	)	Subcategory 06-11337
THIS DOCUMENT RELATES TO:	)	Civil Action No. 08-cv-10852
	)	
<i>United States of America Ex Rel.</i>	)	
<i>Ven-A-Care of the Florida Keys, Inc.,</i>	)	Judge Patti B. Saris
<i>a Florida Corporation, by and through</i>	)	
<i>its principal officers and directors,</i>	)	
<i>ZACHARY T. BENTLEY and T. MARK JONES,</i>	)	
<i>vs. Actavis Mid Atlantic LLC,</i>	)	
<i>et al.</i>	)	

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Status Report November 1, 2009

Pursuant to the Court's July 17, 2004 Procedural Order, the undersigned counsel for the Plaintiffs hereby submits the following status report to the court listing the status of all motions to date.

Respectfully submitted,

Dated: 11/3/09

By: /s/ Susan Schneider Thomas  
Susan Schneider Thomas (PA Bar No. 32799)  
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**Attorneys for Ven-A-Care of the Florida Keys,**

**Inc.**  
**MDL 1456 Status Report**  
**USA ex rel. Ven-A-Care v. Actavis, et al.**  
**Case No. 08-cv-10852**

**Pending Motions**

None.

Plaintiff intends to submit a proposed Case Management Order governing fact discovery, expert discovery and motions for summary judgment sometime this month. This will be worked out with defense counsel to the extent possible.

**CERTIFICATE OF SERVICE**

I hereby certify that I, Carol Brotstein, paralegal with Berger & Montague caused a true and correct copy of the foregoing Status Report to be served on all counsel of record electronically on October 1, 2009, pursuant to Paragraph 11 of Case Management Order No. 2, by sending a copy to LEXIS File & Serve electronic filing service.

Respectfully submitted,

Dated: 11/3/09

By: /s/ Carol Brotstein

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Inc.**